

DT03 Rec'd PCT/PTO 01 DEC 2004

FORM PTO 1390 (REV. 5-93)		US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER 2004-1913A	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371				U.S. APPLICATION NO. (if known, see 37 CFR 1.53) NEW 10/516343	
International Application No. PCT/JP2003/008579		International Filing Date July 7, 2003		Priority Date Claimed July 17, 2002	
Title of Invention MALONONITRILE COMPOUND AND USE THEREOF					
Applicant(s) For DO/EO/US Ken OTAKA, Daisuke OOHIRA and Daisuke TAKAOKA					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. §371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A translation (69 pages) of the International Application into English (35 U.S.C. §371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)). a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19. 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).					
Items 11. to 14. below concern other document(s) or information included:					
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input checked="" type="checkbox"/> Other items or information: (a) Change of Inventor Address; (b) PCT Request; (c) Forms PCT/IB/301, 304, 306, 308 and 332; (d) first page of Published International Application (WO 2004/006677); (e) International Search Report; and (f) International Preliminary Examination Report.					

THE COMMISSIONER IS AUTHORIZED
 TO CHARGE ANY DEFICIENCY IN THE
 FEE FOR THIS PAPER TO DEPOSIT
 ACCOUNT NO. 23-0975.

U.S. APPLICATION NO. 10/516343 NEW	INTERNATIONAL APPLICATION NO. PCT/JP2003/008579	ATTORNEY'S DOCKET NO. 2004-1913A				
15. <input checked="" type="checkbox"/> The following fees are submitted BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee nor international search fee paid to USPTO and International Search Report not prepared by the EPO or JPO. \$ 1110.00 International Search Report has been prepared by the EPO or JPO \$ 950.00 International preliminary examination fee not paid to USPTO but international search paid to USPTO. \$ 790.00 International preliminary examination fee paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 690.00 International preliminary examination fee paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). \$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 70%;">CALCULATIONS</th> <th style="width: 30%;">PTO USE ONLY</th> </tr> <tr> <td style="height: 100px; vertical-align: bottom;">\$950.00</td> <td></td> </tr> </table>	CALCULATIONS	PTO USE ONLY	\$950.00	
CALCULATIONS	PTO USE ONLY					
\$950.00						
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$				
Claims	Number Filed	Number Extra				
Total Claims	4 - 20 =	0				
Independent Claims	1 - 3 =	0				
Multiple dependent claim(s) (if applicable)		+ \$300.00				
TOTAL OF ABOVE CALCULATIONS =		\$950.00				
<input type="checkbox"/> Small Entity Status is hereby asserted. Above fees are reduced by 1/2.		\$				
SUBTOTAL =		\$950.00				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$				
TOTAL NATIONAL FEE =		\$950.00				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$ 40.00				
TOTAL FEES ENCLOSED =		\$990.00				
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$990.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 23-0975 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u> .		Amount to be refunded \$ Amount to be charged \$				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
19. CORRESPONDENCE ADDRESS <div style="text-align: center; border: 1px solid black; padding: 5px;"> CUSTOMER NO. 000513 </div>		By: <u>Michael R. Davis</u> Michael R. Davis, Registration No. 25,134 WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250 December 1, 2004				

10/516343

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Ken OTAKA et al. : **Mail Stop: PCT**
Serial No. NEW : Attorney Docket No. 2004-1913A
Filed December 1, 2004 :
MALONONITRILE COMPOUND : THE COMMISSIONER IS AUTHORIZED
AND USE THEREOF : TO CHARGE ANY DEFICIENCY IN THE
[Corresponding to PCT/JP2003/008579 : FEE FOR THIS PAPER TO DEPOSIT
Filed July 7, 2003] : ACCOUNT NO. 23-0975.

CHANGE OF INVENTOR ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

The address of the first inventor (Ken OTAKA) has changed since the filing of the PCT application. The correct address for this inventor is as indicated in the copy of the executed Declaration and Power of Attorney form submitted concurrently herewith.

Respectfully submitted,

Ken OTAKA et al.

By:


Michael R. Davis
Registration No. 25,134
Attorney for Applicants

MRD/pth
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
December 1, 2004